

FILED
IN CLERK'S OFFICE
UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS 2005 FEB 19 A 8:35

WORCESTER, SS

CIVIL ACTION NO.: 05-40134 FDS

DIANE BOOTH and JAMES BOOTH,
Plaintiffs,

v.

WILLIAM F. SCANNELL, JR., ESQ.;
ANTHONY SALERNO, ESQ. and
SCANNELL AND SALERNO,
Defendants.

**PLAINTIFF, DIANE BOOTH'S REQUEST FOR DEFAULT PURSUANT TO
FED.R.CIV.P. 55(a)**

1. Now comes the Plaintiff, Diane Booth, pursuant to Fed.R.Civ.P. 55(a) and herewith respectfully request that this Honorable Court enter a default, in her favor, as against the Defendant, William F. Scannell, Jr., Esquire.

2. This civil action was filed on August 9, 2005. On August 21, 2005, William F. Scannell, Jr., Esquire was served with the Summons and Complaint by leaving same at his last and usual address. A Return of Service ("Last and Usual") was made with this Honorable Court by Plaintiff's counsel on October 13, 2005.

3. As of the writing and filing of this motion, the Defendant, William F. Scannell, Jr., Esquire has failed to plead or otherwise defend this case as provided by the rules.

4. Reference is made to the attached affidavit of Christopher N. Hug, Esquire.

Respectfully submitted,
Diane Booth
By her attorney,



Christopher N. Hug, Esq.
BBO #: 546960
The Law Office of
Christopher N. Hug
21 Merchants Row, 3rd Floor
P.O. Box 961237
Boston, MA 02196

Dated: December 15, 2005

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

WORCESTER, SS

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DIANE BOOTH and JAMES BOOTH,
Plaintiffs,

v.

WILLIAM F. SCANNELL, JR., ESQ.;
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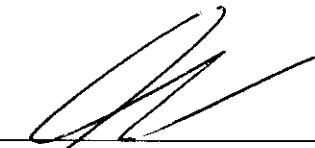
AFFIDAVIT OF CHRISTOPHER N. HUG, ESQUIRE

Now comes Plaintiff's counsel, Attorney Christopher N. Hug, and states as follows:

1. My name is Christopher N. Hug, Esquire, 21 Merchants Row, 3rd Floor, Boston, MA.
2. I am a member in good standing of the Massachusetts Bar as well as the Bars of the United States District Court for the District of Massachusetts and the United States Court of Appeals.
3. I am counsel for the Plaintiff in the above-captioned matter.
4. This civil action was filed by me on August 9, 2005.
5. On August 21, 2005, William F. Scannell, Jr., Esquire was served with the Summons and Complaint by leaving same at his last and usual address.

6. On October 13, 2005 a Return of Service was made with this Honorable Court by Plaintiff's counsel.
7. As of the writing and filing of this motion, the Defendant, William F. Scannell, Jr., Esquire has failed to plead or otherwise defend this case as provided by the rules.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY THIS 15th DAY OF DECEMBER 2005.



Christopher N. Hug, Esq.
BBO# 546960
The Law Offices of Christopher Hug
21 Merchants Row, Third Floor
P.O. Box 961237
Boston, MA 02109
(617) 227-0400

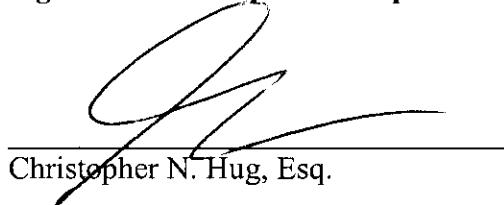
Dated: December 15, 2005

CERTIFICATE OF SERVICE

I, Christopher N. Hug, Esquire, hereby certify that I have this day mailed, postage prepaid, a copy of the within document, directed to:

William F. Scannell, Jr., Esquire
79 Park Avenue – Unit 7
Worcester, MA 01608

Signed under the pains and penalties of perjury, this 15th day of December 2005.



Christopher N. Hug, Esq.